

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

**UNITED STATES OF AMERICA, ET AL.,  
PLAINTIFFS**

**CASE NO. C-1-02-107  
(SPIEGEL, J.)  
(HOGAN, M.J.)**

**VS.**

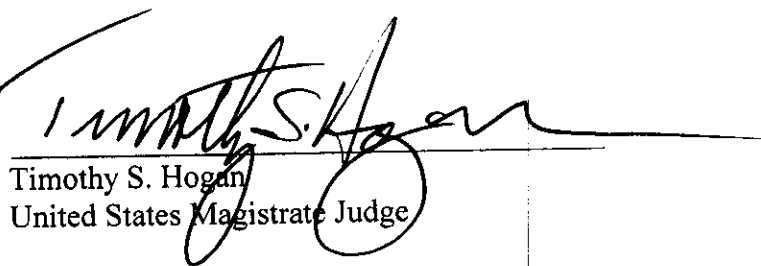
**BOARD OF HAMILTON COUNTY  
COMMISSIONERS, ET AL.,  
DEFENDANTS**

**REPORT AND RECOMMENDATION**

**RESOLUTION OF THE CLAIM OF ROBERT W. DUETT, JR.**

Mr. Duett, whose residence is 545 Burr Oak St., filed a claim as a result of water damage to his basement, which damage was encompassed by the Water In Basement Program. The City of Cincinnati and Mr. Duett have resolved their dispute as evidenced by the Release executed by Mr. Duett on May 1, 2007 and marked Exhibit B. Therefore and in conformity with the wishes of the parties to this dispute, the Duett claim, Doc. 171, should be dismissed as moot.

June 26, 2007

  
Timothy S. Hogan  
United States Magistrate Judge

**NOTICE TO THE PARTIES REGARDING THE FILING  
OF OBJECTIONS TO THIS R&R**

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to the proposed findings and recommendations within ten (10) days after being served with this Report and Recommendation. Pursuant to Fed. R. Civ. P. 6(e), this period is automatically extended to thirteen (13) days (excluding intervening Saturdays, Sundays, and legal holidays) in the event this Report is served by mail, and may be extended further by the Court on timely motion for an extension. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. If the Report and Recommendation are based in whole or in part upon matters occurring on the record at an oral hearing, the objecting party shall promptly arrange for the transcription of the record, or such portions of it as all parties may agree upon, or the Magistrate Judge deems sufficient, unless the assigned District Judge otherwise directs. A party may respond to another party's objections within ten (10) days after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. *See United States v. Walters*, 638 F.2d 947 (6<sup>th</sup> Cir. 1981); *Thomas v. Arn*, 474 U.S. 140, 106 S. Ct. 466, 88 L. Ed. 2d 435 (1985).

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Robert W. Duett, Jr.  
545 Burr Oak St.  
Cinti, OH 45232

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

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PS Form 3811, August 2001

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102595-02-M-1540

1:02cv107 (Doc. 187)